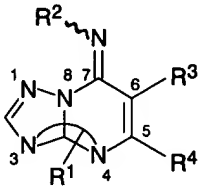
APPENDIX II:

THE AMENDED CLAIMS (clean version):

1. (*currently amended*) Compounds of formula I



I

in which

R^1 is C_1-C_{10}-alkyl, C_1-C_6-alkoxy-C_1-C_6-alkyl, C_3-C_8-cycloalkyl-C_1-C_6-alkyl, C_2-C_{10}-alkenyl, C_2-C_{10}-alkynyl, C_4-C_{10}-alkadienyl, C_1-C_{10}-fluoroalkyl, trihydrocarbylsilyl, formyl, C_1-C_{10}-alkanoyl or C_1-C_{10}-alkoxycarbonyl group being attached either to the nitrogen in the 3- or 4-position;

R^2 is hydrogen, C_1-C_{10}-alkyl, C_2-C_{10}-alkenyl, C_2-C_{10}-alkynyl, C_4-C_{10}-alkadienyl, C_1-C_{10}-haloalkyl, C_3-C_6-cycloalkyl, C_8-C_{14}-bicycloalkyl, phenyl, naphthyl, 5- or 6-membered heteroaryl or heterocyclic groups containing one to four nitrogen atoms or one to three nitrogen atoms and one sulfur or oxygen atom as ring members;

R^3 is phenyl, C_3-C_6-cycloalkyl or 5- or 6-membered heteroaryl containing besides carbon atoms one to four nitrogen atoms or one to three nitrogen atoms and one sulfur or oxygen atom as ring members;

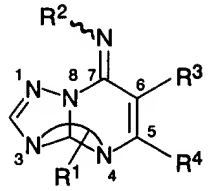
R^4 is halogen, amino, C_1-C_{10}-alkoxy, C_1-C_{10}-haloalkoxy, C_1-C_{10}-alkylamino or di-C_1-C_{10}-alkylamino;

wherein the bent line indicates that the double bond may be located between the 3- and 9-position or the 4- and 9-position; and the zigzag line ∿ indicates that the groups connected may have the (E)- or (Z)-configuration;

R^1 to R^4 groups independently from one another may be unsubstituted or substituted by one to three groups R^a;

R^a halogen, nitro, cyano, hydroxy, C_1-C_6-alkyl, C_3-C_6-cycloalkyl, C_3-C_6-cycloalkenyl, C_1-C_6-haloalkyl, C_3-C_6-halocycloalkyl, C_1-C_6-alkoxy, C_1-C_6-haloalkoxy, tri-C_1-C_4-alkylsilyl, phenyl, halo- or dihalophenyl or pyridyl.

2. (*currently amended*) Compounds of formula I



I

in which

R^1 is a straight chained or branched C_1-C_6-alkyl, C_2-C_6-alkenyl or formyl,

R^2 is hydrogen, C_1-C_{10}-alkyl, C_2-C_{10}-alkenyl, C_2-C_{10}-alkynyl, C_4-C_{10}-alkadienyl, C_1-C_{10}-haloalkyl, C_3-C_6-cycloalkyl, C_8-C_{14}-bicycloalkyl, phenyl, naphthyl, 5- or 6-membered heteroaryl or heterocyclic groups containing one to four nitrogen atoms or one to three nitrogen atoms and one sulfur or oxygen atom as ring members;

R^3 is phenyl, C_3-C_6-cycloalkyl or 5- or 6-membered heteroaryl containing besides carbon atoms one to four nitrogen atoms or one to three nitrogen atoms and one sulfur or oxygen atom as ring members;

R^4 is halogen, amino, C_1-C_{10}-alkoxy, C_1-C_{10}-haloalkoxy, C_1-C_{10}-alkylamino or di-C_1-C_{10}-alkylamino;

wherein the bent line indicates that the double bond may be located between the 3- and 9-position or the 4- and 9-position; and the zigzag line ∿ indicates that the groups connected may have the (E)- or (Z)-configuration;

R^1 to R^4 groups independently from one another may be unsubstituted or substituted by one to three groups R^a;

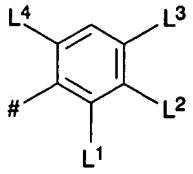
R^a halogen, nitro, cyano, hydroxy, C_1-C_6-alkyl, C_3-C_6-cycloalkyl, C_3-C_6-cycloalkenyl, C_1-C_6-haloalkyl, C_3-C_6-halocycloalkyl, C_1-C_6-alkoxy, C_1-C_6-haloalkoxy, tri-C_1-C_4-alkylsilyl, phenyl, halo- or dihalophenyl or pyridyl.

3. (*currently amended*) Compounds of formula I according to claim 1 in which R^2 represents a straight chained or branched C_1-C_6-alkyl, C_1-C_6-haloalkyl, C_3-C_8-cycloalkyl, C_5-C_8-bicycloalkyl or C_2-C_6-alkenyl.

4. (*original*) Compounds of formula I according to claim 1 in which R^3 represents optionally substituted phenyl.

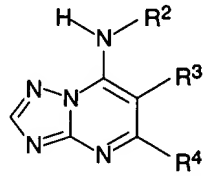
5. (*original*) Compounds of formula I according to claim 1 in which R^4 represents halogen.

6. (*currently amended*) Compounds of formula I according to claim 1 in which R^3 is an optionally substituted phenyl group of formula



wherein # denotes the bond to the triazolopyrimidine ring and L^1 is fluoro, L^2 is hydrogen or fluoro, L^3 is hydrogen or fluoro or methoxy and L^4 is hydrogen, fluoro or chloro.

7. (*currently amended*) A process for the preparation of compounds of formula I as defined in claim 1 which comprises treating compounds of formula II



II

in which R^2, R^3 and R^4 are as defined in claim 1;

with an alkylation agent of formula III

$$R^1\text{-}X \qquad \text{III}$$

in which R^1 is as defined in claim 1, and X represents a leaving group,

in the presence of a base or a buffer system.

8. (*currently amended*) A fungicidal mixture of a first and a second compound of formula I defined in claim 1 wherein in the first compound R^1 is at the 3-position, and in the second compound R^1 is at the 4-position.

9. (*original*) A fungicidal composition which comprises a carrier and a fungicidal effective amount of at least one compound of formula I as defined in claim 1.

10. (*currently amended*) A method for controlling harmful fungi, which comprises treating fungi or the materials, plants, the soil or the seed to be protected against fungal attack with a fungicidal composition as claimed in claim 9.